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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	)	
	)	CASE NO. 2:19-CR-00174-APG-NJK
Plaintiff,	)	
	)	
vs.	)	
	)	
JONATHAN GARCIA,	)	
	)	
Defendant.	)	

**STIPULATION TO CONTINUE SENTENCING HEARING  
(First Request)**

IT IS HEREBY STIPULATED AND AGREED, between the United States of America, by and through its attorney, Christopher Chiou, Acting United States Attorney, through Kimberly Sokolich, Assistant United States Attorney; and Defendant Jonathan Garcia, by and through his counsel, Russell E. Marsh, Esquire, Wright Marsh & Levy, that the sentencing hearing currently scheduled for October 26, 2021, at 2:30 p.m. be vacated and set to a date and time convenient to this Court, but no sooner than sixty (60) days from the current sentencing date.

This stipulation is entered into for the following reasons:

1. On August 11, 2021, new counsel was appointed for Mr. Garcia, and sentencing was reset to October 26, 2021. (ECF Nos. 97, 98.)
2. The parties need additional time to prepare for Defendant Garcia's sentencing hearing. Defense counsel also requires additional time to meet with Mr. Garcia, review documents, and prepare a sentencing memorandum.

1           3.       The parties agree to the continuance. Mr. Garcia is currently in custody and agrees  
2 to the continuance.

3           4.       Additionally, denial of this request for continuance could result in a miscarriage of  
4 justice.

5           5.       The additional time requested by this Stipulation is made in good faith and not for  
6 purposes of delay.

7           6.       This is the first request for a continuance of the sentencing hearing.

8           Dated this 14th day of October, 2021.

9 Respectfully submitted:

10 WRIGHT MARSH & LEVY

CHRISTOPHER CHIOU  
ACTING UNITED STATES ATTORNEY

11  
12 BY /s/ Russell E. Marsh  
13 RUSSELL E. MARSH, ESQUIRE  
Attorney for Defendant Garcia

BY /s/ Kimberly Sokolich  
KIMBERLY SOKOLICH  
Assistant U.S. Attorney

1 UNITED STATES OF AMERICA, )  
2 Plaintiff, )  
3 vs. )  
4 JONATHAN GARCIA, )  
5 Defendant. )  
6

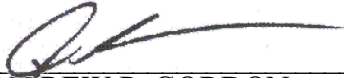
CASE NO. 2:19-CR-00174-APG-NJK

**ORDER**

7 Based on the Stipulation of the parties, the sentencing hearing in this matter is hereby  
8 continued. The ends of justice served by granting said continuance outweigh the best interest of the  
9 public and the defendant in a speedy sentencing, since the failure to grant said continuance would  
10 be likely to result in a miscarriage of justice, and would deny the parties herein sufficient time and  
11 the opportunity within which to be able to effectively and thoroughly prepare for sentencing, taking  
12 into account the exercise of due diligence.

13 IS IT HEREBY ORDERED that the sentencing in the above-captioned matter currently  
14 scheduled for October 26, 2021, at 2:30 p.m., be vacated and continued to January 5, 2022, at  
15 1:30 p.m.

16 DATED: October 18, 2021

17   
18 ANDREW P. GORDON  
19 United States District Judge  
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